

**Excerpt from the
CITY PLANNING COMMISSION MINUTES
Minneapolis Community Planning & Economic Development (CPED)**

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MEMORANDUM

DATE: May 15, 2014

TO: Zoning and Planning Committee

FROM: Jason Wittenberg, Manager, Community Planning & Economic Development – Land Use, Design and Preservation

SUBJECT: Planning Commission decisions of April 23, 2014

The following actions were taken by the Planning Commission on April 23, 2014. As you know, the Planning Commission's decisions on items other than rezonings, text amendments, vacations, 40 Acre studies and Comprehensive Plan amendments are final subject to a ten calendar day appeal period before permits can be issued.

Commissioners present: President Tucker, Bender, Brown, Forney, Gagnon, Gisselman, Kronzer, Luepke-Pier and Slack – 9

Committee Clerk: Lisa Kusz (612) 673-3710

2. Krause Liquor Store (BZZ-6425, Ward: 3), 80 Broadway St NE (Janelle Widmeier). This item was continued from the March 3 and March 24, 2014 meetings.

A. Conditional Use Permit: Application by DJR Architecture, on behalf of Steve Krause, for a conditional use permit to allow a liquor store located at 80 Broadway St NE.

Action: The City Planning Commission adopted the findings and approved the application for a conditional use permit to allow a liquor store for the property located at 80 Broadway St NE, subject to the following condition:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within two years of approval.

Aye: Bender, Brown, Gisselman and Kronzer

Absent: Forney, Gagnon, Luepke-Pier and Slack

B. Site Plan Review: Application by DJR Architecture, on behalf of Steve Krause, for a site plan review to allow a new 1-story, approximately 7,700 square foot building located at 80 Broadway St NE.

Action: The City Planning Commission adopted the findings and approved the site plan review application to allow a new 1-story, approximately 7,500 square foot building for the property located at 80 Broadway St NE, subject to the following conditions:

1. Not less than 30 percent of the Broadway St NE building elevation shall be windows that comply with the standards of section 530.120(b) of the Zoning Code.
2. Not less than 25 percent of the parking lot building elevation shall be windows that comply with the standards of section 530.120(b) of the Zoning Code.
3. At least 4 boulevard trees shall be planted in the Broadway St right-of-way, at least 2 boulevard trees shall be planted in the Marshall St right-of-way, and at least 3 boulevard trees shall be planted in the 11th Ave right-of-way.
4. Not less than 6 canopy trees shall be provided in the required landscaped yards between the parking area and Marshall St and 11th Ave as required by section 530.170 of the Zoning Code.
5. Department of Community Planning and Economic Development staff review and approval of the final building elevations, floor, fixture, site, lighting and landscape plans.
6. Site improvements required by Chapter 530 or by the City Planning Commission shall be completed by April 23, 2016, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
7. The applicant shall work with staff to enhance the Broadway entrance of the building through building architecture and landscaping.
8. The applicant shall provide and maintain a minimum of 15 bicycle parking stalls on site or adjacent to the site in the public right of way.

Aye: Bender, Brown, Gisselman and Kronzer

Absent: Forney, Gagnon, Luepke-Pier and Slack

Staff Widmeier presented the staff report.

Commissioner Luepke-Pier: Do you know if during the discussions that were had about Broadway if any was had about the main entry? It seems to be really focused on the parking lot and not even...it's not on Broadway, but not on Marshall so I question its location and orientation.

Staff Widmeier: This is the entrance that you're referring to. They do have windows on both sides so we didn't look at asking them to do any more. It is a single door rather than a double door. We did want that to be an active entrance so they are making it accessible.

Commissioner Luepke-Pier: In terms of the 30% window requirement on West Broadway, do you know if they're amenable to agreeing to that?

Staff Widmeier: Yes.

Commissioner Luepke-Pier: Are they moving the coolers or how are they planning to achieve the window requirement?

President Tucker: We can talk about that when they come up.

Commissioner Kronzer: In the PDR report, it talked about how traffic may be an issue. Can you tell us what Public Works determined with the traffic impacts of this project?

Staff Widmeier: On Broadway there are high traffic volumes, especially during rush hour. They didn't think it would be feasible to have a curb cut on Broadway without creating major safety issues. On Marshall, you do have high traffic volumes, but it moves a little better so they weren't as concerned on Marshall Street and then 11th is more of a secondary street so they weren't concerned about that. In the past they have generally said they don't want more curb cuts on Broadway so they want to be consistent with that.

Commissioner Kronzer: So ultimately they are ok with the proposed design.

Staff Widmeier: Yes.

Commissioner Kronzer: Are you aware of any neighborhood planning processes going on at this intersection? Is there any neighborhood led planning efforts at this quadrant or this node or anything?

Staff Widmeier: I'm not aware of anything specific to this node. The Sheridan Neighborhood Organization is working on a draft small area plan and it kind of touches on it, but it didn't seem to focus too much on this node specifically.

Commissioner Kronzer: Can you remind us what the Above the Falls Plan calls out for Marshall? I know there are some correspondences about some future greenway, parkway and bike lanes. Can you educate us on that a little bit?

Staff Widmeier: It does talk about making it more of like a parkway type street, but I don't recall the specifics on that. I think it's just adding more greenery. I don't know if they came up with more specifics for how many bike lanes would be added. I don't recall the details.

Commissioner Luepke-Pier: What is the current spacing right now from this location to the next closest liquor store? I know we have regulations regarding how close they can be, is this in violation of those?

Staff Widmeier: It is not in violation of that. They did work with the Business Licensing office to confirm that it does meet all the spacing requirements. The nearest liquor store would be on 2nd and 18th.

Commissioner Luepke-Pier: In terms of us just being able to say yes or no to the use itself, it's meeting the zoning requirements and it's meeting the spacing requirements?

Staff Widmeier: Correct.

President Tucker opened the public hearing.

Jason Krause (3700 Wooddale Ave S): First thing I'd like to discuss is the plan and vision that we have for this liquor store. The first thing I want to mention is this is going to be an owner operated store. That's significant because this is not a chain of any sort. In fact, I plan to be the owner operator of the store. A little history about me; I am born and raised in the twin cities. I am from St Paul originally. I did migrate west of the river and now reside in St Louis Park. For the last ten years I have been working in downtown Minneapolis as an attorney. My plans are to take early retirement from the law and go into the liquor business full time at this liquor store. I will be the third generation in my family to go into retail liquor. This is what I know; this is our family business. I've been very fortunate to have my dad as a mentor over the last 25 years. I think the most important thing I've learned from him is the significance of embracing and partnering with the community that you're a part of. His current store is in the Longfellow neighborhood in south Minneapolis. I

think if you were to talk to anyone in that community they would have nothing but wonderful things to say about what a great member he has been there and that's certainly my intention here running this store. I envision this as the perfect neighborhood store. This is not going to be the kind of store where we're trying to draw citywide or from St Paul. We're not going to be putting ads in the Star Tribune trying to draw traffic from all over the place. We really want to appeal to northeast Minneapolis and the neighborhoods there as well as in the north loop and we really want to be identified with that area and synonymous with that area. We intend to be a full service liquor store. I'm sure we will be doing product tastings. We plan to offer make your own six packs for craft beer. We will have knowledgeable staff and competitive pricing. We will be bike friendly as well as dog friendly. In addition, we are thinking of ways we can incorporate the arts aspect of the neighborhood and really engage the community as part of this store. We're excited about this location for a number of reasons, but one of the main reasons is that this is really the heart of the craft beer movement. Within a stone's throw of the store you have several breweries. The next movement you're going to see is craft spirits and you already see that budding in the northeast community as well. This is where the northeast art crawl is located and it's a great area because it has a number of independently owned businesses, shops, restaurants and bars just like us. That really lends itself to what's become a very dynamic and vibrant area that is continually evolving and developing and we're really excited to be a part of that. In terms of this corner, we are going to beautify the corner and bring competition into the area which is good for all the consumers. We're going to be adding jobs in the area and contributing significantly to the tax base as well. Regarding the site, I want to thank Janelle and the staff for the professional report they put together. I ask the Planning Commission to approve the staff report. This proposal meets all of the City's requirements in the Zoning Code. The site has been C2 for well over a decade, which is the zoning category that is designated for liquor stores in the city of Minneapolis. It's a conditional use, which means the use is permitted with certain conditions. For off-sale liquor stores, that conditional use in a C2 district is governed by Chapter 536 and the development standards include spacing requirements and maintaining the city free of litter. As you heard from Janelle, Business Licensing has already said that this site meets the spacing requirements. The Planning Division and the Planning Commission have consistently found that new liquor stores do not adversely affect neighborhoods. Some recent and previous examples of this would be the Mill Store at 1851 Central Ave NE, which was approved by this commission in February 2013. The Elevated Beer, Wine and Spirits store at 4135 Hiawatha that was approved in June 2012. There was a liquor store application for a location on Broadway and Washington that was approved in January 2011. There was another application for Hiawatha Falls Liquor at 4604 Minnehaha Ave, which was approved June 2010 and there was Lake, Wine and Spirits at 400 W Lake St that was approved in January 2009. Each of these were zoned C2 and in each case the Planning Commission approved the application s with the finding that the Planning Division does not believe a liquor store would be detrimental to or endanger the public health, safety, comfort or general welfare of the surrounding area. City staff has made that same finding here with our project. I ask you to uphold your policies and approve the staff report. This plan will bring a needed change to what has been a blighted site and meet the consumer demands of a growing, thriving and dynamic neighborhood.

Commissioner Luepke-Pier: What are you guys proposing to do along the Broadway façade regarding the windows?

Jason Krause: I'll address it very briefly and also our representative from BJR our architecture team will be able to speak to that. We are agreeable to the recommendation that has been made by City Planning to relocate our reach-in cooler for craft beer to the other side of the store so that we can make accommodations to have more windows on that Broadway side.

Commissioner Luepke-Pier: You mentioned beautifying the corner. Broadway is the major corridor; we're a city not a suburb, so how do we make the front door seem like the front door instead of the back door. Would you be amenable to changing that, or at least adding double doors, maybe adding some of the nice shrubbery

you have around this entrance around the Broadway corner and Marshall as well that way it softens that one too.

Jason Krause: We would be amenable to adding certain accents to that entry area. Its important for a number of reasons that we have this double door main entryway facing our parking lot.

Commissioner Luepke-Pier: I'm not saying to get rid of it, I'm just saying you don't need to make this one look like the back door, but the front door should actually look like the main door. So enhance the other one not necessarily detract from this one.

Jason Krause: Yes, we're open to that.

Commissioner Kronzer: Can you explain where the check outs are located and how it relates to the two entries? Obvious security is an issue. There are buildings that have these double entries where the second entry is kind of forgotten about, sometimes locked.

Jason Krause: Here is what we've been referring to as the main entryway, where the parking lot is. We intend to have our registers here to have traffic flow, and we haven't decided this yet but we may have a divider of some sort here. So the traffic flow would be this way through the store and that works better both in terms of being able to set up and merchandise this store but just as importantly if not more importantly so that we can observe all of our customers and have kind of a standard flow of things for shoplifting purposes and concerns like that.

Commissioner Kronzer: So what's your plan for the other entrance then? Because then you don't have that opportunity with the entrance off of Broadway.

Jason Krause: For this entrance, we would likely funnel traffic in through this direction as well. What we're trying to do is avoid people walking down here and walking all the way up.

President Tucker: Is the architect going to speak a little bit about some of the arrangements or stand for questions.

Scott Nelson (333 Washington Ave): We've been working with Jason for several months on this. I'd like to also thank Janelle and staff and the Public Works folks for lots of suggestions. We're more than willing to follow the recommendations of the report. The main entry is here because most of the folks that'll come with cars and use carts will come and go out of that. And then we've got it set up that you would route in come through and exit there. But we definitely are aware of the gateway nature of this site and have been trying for some time to develop this as unique four sided architecture. It's not an inexpensive building; it's not trying to be a typical chain retail building. It's got lots of glass, it's got lots of different materials; the stone and the cedar siding and things of that nature, that we've kind of picked as accents on the building that are sort of, if we look around the neighborhood at the Grain Belt Brewery and the bank and things, and the library, getting some of the materials from that. We'd be more than willing to enhance this entry on the corner of Broadway and Marshall if you desired as well. We had a little bit stronger entry statement when we had the building going in the other direction, but when Public Works put the kibosh on the Broadway entry we had to redesign it a little bit more. We also are more than willing to flip flop the two sides. The glass that we had here would go onto the Broadway side and we would then meet the 30 percent requirement. Basically where we have windows and metal panel, we would make that all windows, then we'd probably be well over the 30 percent requirement. It takes a little bit different retailing setup but Jason indicated he is willing to do that. Generally you would have the beer to the back of the store. Here, we'll have our craft beer and selections towards the

front of the store. We try to have some different forms of landscaping on all sides of the site. We'd like to do a little bit on Broadway. One of the things that staff wanted the first time we went through is to basically narrow the sidewalk on 11th and add some landscaping, because we have these really wide sidewalks in all directions. So we were more than willing to do that the first time and now it's actually helping us meet the overall landscape requirements.

Commissioner Kronzer: The plan identifies four bike parking racks, have you identified any areas where you can add bike parking?

Scott Nelson: No, but we were considering doing some in the right of way as well, which we're told is a simple encroachment permit. We see that there is a lot of potential bike traffic coming from the Parkway and along here. So that will be a big source of customers.

Beth Griffin (701 Ramsey St NE): Our neighborhood organization held three public hearings and on Feb 13 the Board of Directors voted against the liquor store proposal. A letter regarding this was sent to you. Thank you very much.

Dan Brady (620 4th St NE): My issue is basically the livability issue. Now, that may not have been touched upon but I'm basing this on history. I grew up in Milwaukee right about the Lake Michigan bluff and one of the things we did as youngsters is collect cans and other assorted items. Just because we thought the illustrations were cool. It didn't dawn on me how accessible alcohol and beverages were until I started working at a bar in Milwaukee at age 18, where they had off sale liquor. It was Hooligans on North Avenue. And that place sold a lot of liquor that headed right to the beach, right to the lake front and there the debris and the liter was pretty intense especially on holidays. You could walk down there and pick up anything you'd like because people failed to do their civic responsibility of putting it away. It seems to me that this liquor store being so close to an asset that this state and city is going to have in redeveloping their riverfront makes me wonder how well our riverfronts going to look when we have accessibility to easy alcohol and people buying it and then taking it down to the park, Sheridan or Scherer Brothers, BF Nelson and Boom Island. It seems to me that because you have a liquor store so close, people pick it up, take it down there, party their butts off and leave it there. So I'm not sure if you guys deal with that matter or not, but it's something to consider.

Bob Margo (610 4th St NE): I'm the owner of Falk Paper Company, its 300,000 square feet of warehouse space in the North Loop. I've been with the company for 34 years and the company has been in the North Loop since 1888. I'm the block captain of the St. Anthony West neighborhood group; I've been living in the neighborhood since 1999. The home we live in has been owned by my wife's family since 1926. I feel I have something to give and something to defend. I'd like to make two points; I guess one statement and produce a document. Initially, after our nine to one vote in opposition to this development, I had an opportunity on the third of March to talk with our Councilperson Jake Frey, met him in the hallway and talk to him about his position on it and he was very candid in terms of stating that he had some issues but that he was solidly behind the neighborhood in its nine to one vote and in support of the neighborhoods decision. That's number one point. I think it's also well to not that its important as far as you people are concerned that we take a look at our leadership, our political folks that are kind of involved in our neighborhoods and take a look at how you're going to interact with Jacob in his position on this. I think it also holds the same thing with the City Council, I think that Jacobs's weight within the City Council will hold a lot of sway. We're looking forward to his continued support, that number one. Number two, I brought with me a copy of the *Northeaster*, I think it was a front page article and some editorial support and I'd like to bring those copies up to the clerk and have those passed out to you folks. If you get a chance to read it I think it clearly identifies the problem and the issues. I did want to make a comment, St. Anthony West Neighborhood Group, takes a look at our neighborhood on a regular bases and takes a look at where we can improve. Right now were working on a Small Area Business

Plan, part of our focus on Small Area Business Plan is to take at near term, far term, long term development. And I think this is one of those areas where I wish that we would have been up about a month or two ahead of the game when we started. Because this came out of the blue; it was something we were working on probably on a small scale bases. We were looking at replanting, putting a gateway sign and putting some kind of [?]tarplin down both sides of the cyclone fence. Granted it was minor league in trying to do something with this corner but we felt it was an eyesore. But again, the way this showed up on short term notice, I think it was important for us to know that it was for sale, it was in development. And we have some dollars that are available; we would have worked hard to get something in here other than a liquor store.

Charlie Maguire (715 Main St NE): I've been a resident in Northeast Minneapolis since 1976. I'm a member of the Hennepin County Library Friends of the Library at Pierre Bottineau. Which as you may note is kind of kitty corner across from the proposed site. Before the library was actually there I was one of the Northeast Minneapolis citizens that lobbied the Library Board for Pierre Bottineau, even going so far as creating a song which our citizen groups sang to the Library Board that helped establish the new library at the corner of Marshall St and Broadway NE. It's everything any child or parent could want, there are even programs which I have not only participated in but have sponsored as a Friend of the Library. These programs can even be outside of the building, in the courtyard, or beside the fountain and benches for reading or simply enjoying the outdoors, just a stone's throw from the Mississippi River. For the patrons of the Bottineau Library young and old I would urge you to dismiss this liquor store project. It's ironic that the site of the Pierre Bottineau library is the former site of the Grain Belt Brewery beer garden, which sat right at the corner of Marshall and Broadway for many many years. This area now has been redeveloped to offer books not beer. Thus it is truly a resource for people of all ages, especially children, and I would ask that we continue this development of choice Northeast assets away from beer which can be had in huge quantities elsewhere. And not start offering beer and spirits for sale right across the street.

Linda Koutsky (715 Main St NE): I grew up in Minneapolis and lived in Chicago and San Francisco where I was exposed to a lot of great urban planning and urban living. This is my third home that I've owned within just two blocks of the Mississippi River and I'm really proud to be a part of living by the river. I just started my second term as a board member of STAWNO (St. Anthony West Neighborhood Organization), but I'm speaking to you today on my behalf instead of as the organization as a whole. I voted against supporting the liquor store for several reasons. One is I believe that the intersection there is a gateway site and it deserves a higher use. Marshall is expected to become a boulevard and I think that we should put a better project there. I believe the liquor store is counterproductive to what the City has planned for the riverfront land, as other people have mentioned, Scherer Brothers and the various parks that are being developed. And I think that this is inconsistent with the Above the Falls master plan that I have looked through. The Broadway riverfront node which you all should be looking up this plan yourselves since the planner didn't have it with you. But it says, one, to encourage development of this area with high density, mixed use development. And two, to support the development of river oriented, commercial and retail uses to build on the advantages of the riverfront location. And I don't believe the liquor store does that. And the Above the Falls master plan is really what's been approved by the Comprehensive Municipal Plan with the City. In addition to living in the neighborhood, I also work in the Grain Belt bottling house, which is right behind the big tower. I walk and bike to work during the week and the Broadway and Marshall intersection is busy and dangerous at all times of the day. One of my co-workers actually totaled her car there last summer. More traffic is just going to cause more havoc at that intersection. And I live on Main St and I worry about all of the cars leaving and not being able to turn left on Marshall and their going to all come down on Main St. I also write a column called The Weekend Tourist for the *Downtown Journal* and the *Southwest Journal*, it's about art and architecture and esthetics of place. I think driving over the Hennepin Ave Bridge into Southeast Minneapolis is a wonderful experience, there are historic buildings on both sides, Brad Jirka's neon riverboat is overhead and I think we have a chance to do something really exciting at this intersection. It's coming over the river and let's do something better than a liquor store,

this is a crucial City of Minneapolis gateway property and let's work to find a better use for this site. Alcohol is not the answer.

Sheila Biernat (701 Main St NE): I've lived there for 26 years in the St. Anthony West neighborhood and I just love our neighborhood. The Northeast community currently has 75 business through which liquor is distributed, purchased or consumed, including the controversial pedal pubs which go through our neighborhood streets; 16 people per traveling tavern, making noise, being boisterous and littering. Do we really need 76? How far is this new site going to be from these existing businesses? At least 84 percent of these businesses are located within three minutes of the proposed liquor store. The other six percent are less than six minutes. There are six other liquor stores within three minutes of this proposed liquor site. I do have that whole list and I'll share that with the clerk. I know people say don't get personal but what is the livability of a city if you aren't engaged personally. It's my neighborhood.. [tape ended]..alcohol is so accepted and revered. Let's just not say no to this proposal, let's say hell no. And I also have one other letter from a friend who works at the bank with me right across the street. And Grace is 83, and she wanted me to give this to you. She's wondering why we can't have a lovely stone sculpture and a waterfall on this corner welcoming folks to Northeast.

Tony Hofstede (610 Ramsey St NE): I also mention only because it may have some importance; is that I am also on the board and one of the members that voted against the development. And also I'm a committee member of Above the Falls and I'm also a member of the Capital Long Range Improvement Committee. I mention that because one of the things that is remiss I think in the staff report is the traffic report. I understand that they said there is little traffic impact that's because the City department was the only department that was so included in the study. You'll note that Marshall St and Broadway St are both county highways and you'll also note, because I sit on the plan on Above the Falls, and I'll be happy to share this with you, this is Marshall St which is a boulevard and that is also part of the Comprehensive Plan and it's also a county highway. And yet no one asked the county what's the impact of this development on this particular site. I just ask that be considered; I did want to make one other point if I may. If you look at where the site is, it's just quick to notice that there is a double yellow line that I'm not sure you'll see this properly, but there's a double yellow line that crosses Marshall and into 11th Ave. The reason I show this map is, an important part of the Comprehensive Plan and Above the Falls that was approved by the City Council I might add is the bike plan. And we've been working on the bike plan for Marshall St, and the bike plan ends at 10th Ave because we have been trying to figure out a way in order to extend that plan. As a member of the Capital Long Range Improvement Committee, unfortunately what happens, the County never shares with the City those projects which they are working on. So we have no idea what the plan is for that street. If you're talking about a boulevard there's been talk about expanding the size of the street. Obviously since this building is directly built to the street, it creates a problem if that is to expand.

Commissioner Kronzer: Does the bike plan or the Above the Falls Plan suggest right of way acquisition on Marshall? Does it suggest right of way acquisition to widen the right of way?

Tony Hofstede: Yes, they are speaking of that. We have spoken to the previous commissioner about this, about widening the street. Because there are also other issues that end up further down Marshall St if you look at Psycho Suzie's and how we can plan that in addition. But it stops and 10th Ave which is a block and a half [cross talk].

Commissioner Kronzer: Anytime you have to acquire a right of way, it makes a simple implementation much more difficult. So the reality of acquiring the right of way becomes much more difficult.

Edna Brizitis (no address given-not on sign in sheet): I am speaking for Lisa Hondros who unfortunately couldn't be here. You have her written comments. And this is on behalf of Friends of the Riverfront which is a nonprofit that's interest in the development of the riverfront in an appropriate way. We're here on the sole issue of the very important parkway. Our concern is that it hasn't been considered. The parkway is definitely part of the Above the Falls Plan. Marshall St as the parkway for Northeast is a vital part of the Above the Falls Plan. We're concerned as people who believe in non-motorized transportation that this particular development is going to make things difficult, especially when you consider turning from Marshall St, have cars turning, cars turning into now the entrance off of Marshall St and 11th Ave. And it's going to make it really difficult. To your point Commissioner Kronzer, I have heard that there may be plans to acquire right of way. There is another liquor store that's at Lowry and Marshall St, it's called River Liquor and that owner has told me that he believes he would have to move his business back from the street in order to accommodate the kind of traffic patterns, the improvements that they're going to need. So what I'm concerned about this is I don't see how you can approve the site plan or the CUP (conditional use permit) without having this very important information in front of you. I thought that this could possibly; the way this is put up against the street, prevent a very important amenity for the City. And I urge you to deny this, not approve this CUP or the site plan, undoubtable this project will be appealed and if the applicant can prove that it doesn't affect the future parkway, so be it. Otherwise they have the opportunity to develop the site plan in a different way, perhaps a multi-story building that will allow this other use.

Joe Biernat (701 Main St): I'm a member of the St. Anthony West neighborhood and I have been for about 30 years. I live on Main St. Main St if you saw on the map here, is directly in back of this proposed development but its connected to the development by 11th Ave. What you don't see on your map is how narrow 11th Ave is and that's going to be important and I'll explain here. Those of you that have traveled this area of Broadway and Marshall, you know how congested it really is up there. As we speak, and this goes to Commissioner Kronzer's question, as we speak, there is a jurisdiction studying this area and it's Hennepin County. They are currently holding public hearings in our community about the problematic traffic at Marshall and Lowry, both county roads, and so I suspect that they will come up and hold meetings in our neighborhood on Marshall and Broadway as well. I think a stark omission from your staff report before you is that City staff has not solicited any input from the County even though these are county roads. And the County in the Above the Falls Plan refers to Marshall in their vision as a park like street. It doesn't talk about the acquisition necessarily but they want it to be park like street. Members of the commission, current municipal ordinances state that all maneuvers associated with the loading, parking, or sanitary pick up for a private development shall occur on private property. Respectfully, I call your attention to the proposed parking lot which is the same parking lot not only for the customers but also for the 18 wheeler semi-trucks that are going to come in there, there is no loading. They come into the parking lot and unload in the middle of the parking lot. I would submit to you that is a very difficult maneuver for any truck driver to make. Now, when they egress, they are scheduled to go off of 11th Ave according to the City staff report before you. Well, again, you can't see how narrow 11th Ave is. 11th Ave permits parking on both sides of the street. And with the other commerce in the area, with the Peace establishment and the 1029 Restaurant, it's going to create a major problem. There's no way a semi-truck driver can navigate that turn. The truck driver however, could do something different, they could turn left and go up to Main St and come through the residential neighborhood. Main St, as you know, is a quiet, residential street bifurcated by a median down the middle of the street for three or four blocks. At our neighborhood meeting the developer told us that he is going to ask the beer distributors to deliver his goods in small trucks. We know this is not reality. At the same meeting and in your report before you, the developer is going to require deliveries to come only during off peak hours. Again, we know this is not reality. If you look at the Marshall St entrance, as this was pointed out, you would think that cars coming south on Marshall could simply take a left and go into that driveway cut. This is not true. Marshall St is divided by a double yellow line. State law prohibits crossing over a double yellow, as does local municipal code. Legally, this means that southern traveling cars have to go up to the next intersection, take a left, and go up 11th Ave and then try to

come into this parking lot using the egress that is dedicated to the truck drivers. Members of the Planning Commission, I urge you to seek more input on this especially from the County Public Works. Logistically this development does not work on a lot this size. Commissioner Kronzer, I was really grateful to hear your question about the Above the Falls Plan, I think it's an extremely important one. The Above the Falls Plan is a bold visionary plan calling for bike trails, calling for green space, calling for recreational space. It does not call for a liquor store. In all the material before you I ask you to please pay close attention to Commissioner Liz Wielinski's letter, talking about the plan and how the Park Board is frightfully concerned about this proposal, it's not congruent with that plan.

Bill Wittrock (1220 Marshall St): I'm a senior associate at RSP Architects and I'm representing RSP Architects. This particular piece of property is extraordinarily visible. The word gateway has been used and it's appropriate for this particular piece. For 30 years the City has had an active hand on how to transform this neighborhood. 30 years ago it was an active brewery, then it went dark for 25 years and RSP Architects moved into the building and the City was very involved in having it and making that happen. Small area plan for the Sheridan neighborhood, where our office is and adjacent to the St. Anthony neighborhood, was very active in defining that the current policies or the current guiding should be close to connections to the river, bringing arts and making sure that it is public realm. This is evidenced by the four corners. At least three corners of Broadway and Marshall. The library is an open space, the bank has an open corner and the Graco building has an open corner. This piece of property is the missing link. The rest of the policies of the City, including Planning Commission, including Council over the last 30 years are coming to fruition with vacant properties around the Brew House being built with high density housing which is called for in all the policies and guiding and it looks like it's going to be a great success but for this piece of property. In the findings for conditional use, there is one measure that says the conditional use should be consistent with the applicable policies and the Comprehensive Plan. And I would submit for 30 years the Comprehensive Plan does not call for; does not require or want the use that is being proposed at this corner. The architects have done a fantastic job bringing a piece of building to this corner. Staff has appropriately applied the design guidelines. But that's not the issue. I believe the issue before you to consider; is this use consistent with 30 years of history and of proven implementation of that policy?

Patrick Greffin (701 Ramsey St): I'm a resident of St. Anthony West. I'd like to address the site plan. What we see here on this screen and what we see in the illustrations is a very nice building but its hype. First of all there has been no discussion or presentation of exterior lighting. We don't have any idea of what the signage would be and as far as the landscaping is concerned, I doubt very much the City would allow trees on the boulevard. So, in looking at their existing liquor store, I'd just like to show you a few photos. That's on Minnehaha and Lake St. What I'm saying is don't believe the hype.

Diane Hofstede (610 Ramsey St): I'm a resident of St. Anthony West neighborhood and long term resident of the Northeast area and former third ward councilmember of this area. The St. Anthony West board voted to deny the conditional use for the Krause liquor store on Broadway and Marshall St. And I ask you to deny the conditional use permit for the liquor store and I'm going to site findings that I believe you can use to make your determination for denial. I will be using the Minneapolis Comprehensive Plan. If you review the Minneapolis Comprehensive Plan section 1010.6, it requires the storefront windows transparency to both ensured natural surveillance and inviting pedestrian experience. Windows that are over eight feet high do not do either in accommodating the pedestrian experience. On map 7.3, Regional Parks and Trails, Marshall St at this location is designated as a future parkway and the lack of windows along Marshall does not make, again, for an inviting experience. But it is also a well-traveled bike corridor with a vision of expanding bike amenities on Marshall St. 11.2 in the section ensure that new commercial development maximizes compatibility with surrounding neighborhoods. This intersection is the entrance to the Northeast Arts District and a liquor store would not create the impression desired for community or maximize compatibility with the surrounding

neighborhoods. In the land use section of the Minneapolis Comprehensive Plan, Broadway Ave NE from Mississippi River, I 35W is defined as a community corridor. The site is currently a commercially zoned property, it is designed for mixed use on map 1.2 of the future land use of the Comprehensive Plan. Mixed use allows for mixed use development and that includes residential. Mixed use may also include a mix of retail, office or residential within a building, or within the district. Under the last land use section, 1.5.2 states facilitates the redevelopment of underutilized commercial areas by evaluating possible land use changes against potential impacts on the surrounding neighborhood. I think you have a case in point here. 1.9.5 States encourages the development of low to medium density housing on community corridors to serve as a transition to surrounding low density residential areas. 1.9.6 Under the land use section states, promote more intensive residential, developmental long community corridors near intersections with neighborhood commercial nodes and other locations where it is compatible with the existing character. By denying this one story single use development, the Planning Commission would be promoting the desired future uses of the site for more intensive density with mixed use. A City goal is to add more density to our city and a denial would give an opportunity to consider more density and more mixed uses and allow for the St. Anthony West Small Area Plan to continue. Section 10.18.1 requires that parking lots meet or exceed the landscaping and screening requirements of the Zoning Code especially along transit corridors adjacent to residential areas and areas of transition between land uses. Staff is requesting alternative compliances which are on a major gateway entrance to our communities. Policy 10.20, promote an attractive environment by minimizing visual clutter and confusion caused by a proliferation of signage. No signage plan has been submitted for your approval and public discussion. Instead staff is recommending that all signage, landscaping and lighting be approved by staff. Our community and the Planning Commission would not have input in the final decisions of the gateway into our neighborhoods. In chapter 2.23.200 of the Zoning Code for the C2 commercial which this sign, this area, the signage in this area could have a maximum height of 28 feet or could be a dynamic changing copy sign. Arguments can be made that a sign of 28 feet or a dynamic change sign could be visual clutter, depending on what is submitted, near our riverfront, our community library, international headquarters and nationally historic building. The development is the wrong idea in the wrong place. Marshall St is slated to become a parkway that way we have waited for, in my case, a lifetime. Millions of dollars are being invested to create a more vibrant front door along this river corridor, including the new Sheridan Memorial park, just northwest of this site, and the entrance to the Northeast Arts District. This is not a project that is river related or a gateway. We embrace our distillery and our brewery in past and present in Northeast and we celebrate our history as we did with Grain Belt Brewery, now the home of the international architectural firm and the American Craft Council, who moved to Northeast Minneapolis to the historic Grain Belt Brewery from New York City. I urge you to deny the conditional use permit and give St. Anthony West neighborhood the opportunity to complete our small area plan, which is now under way. I urge you to deny this application. I also will say a couple of things, and that is; I have a letter from a local dental clinic who grew up in the area and I will submit that to the City Clerk and also I would correct a statement made by the proposed owner. The proposed liquor store development on Broadway and Washington was not approved, that was denied. That was denied in North Minneapolis, and I think we have some residence here that could attest to that. I voted against that on the City Council.

Karen Bernthal (1509 Marshall): I drive by that corner almost every day, and when I heard that there was going to be new development, I was actually excited and I went huh, what's going to happen there. Then I heard it was going to be a liquor store and I went oh, and then I saw the design and I thought the designs were very nicely designed, then I went oh, that's not so bad. But then, it kept sticking with me I just don't like the idea of a liquor store there and I started thinking, this building looks so different than any liquor store that I've seen, and how could that be. And then I realized that there are no signs on that building and there are no papers pasted in the windows. And so I took that building, and I put down signs that I thought it might look like. And then I went, you know, I think that's a really bad idea and I'm going to come down here and say that. Because it is a gateway and the building is beautiful, but once those signs get up, it's going to change the whole thing.

So that's one point that I want to make and then at night, it's going to be well lit I'm sure and it will just broadcast liquor which I don't like that idea. So I had another issue and people have talked about this a little bit. I did a drawing for what I see when I drive on that road. I'm going northbound, so I would be the car in red, although I don't try to make the light, but I see cars trying to make that light. And then I see cars trying to make the light when they are going south, I would be going north, I'm the red arrow, cars come south trying to make the light. And I thought ok, people are always in a hurry, those people are going to want to get in and out of the liquor store and these people are going to turn into this driveway right here and these people that are making the light, cause the lights just right here, I think you're going to have problems. And then on top of it, you've got parking along here and the door. And so this person who did get into the parking lot is going to be walking across this entrance way where this car is quickly turning in to get to the entrance and I think you have a problem. I've heard these people are upstanding citizens, I have no problem with you, I have no problem with liquor stores but this is it. I think we can aim higher, I think a liquor store doesn't belong across the street from a library. I just don't see those working together. One other point, I don't come down here very often, I came down here a year and a half ago when the City staff approved a Tires for Less building on Marshall St, and the neighborhood came out like this and said we don't think that's a good idea and thank goodness we convinced you or you saw your own wisdom. We waited a few short months, and I know now that business, that is the food hub at 1401 is been transformed. It's not even finished yet, I just think if we wait a little bit longer all of this money that we've spent on this gateway area for the upper river will come to fruition and we can expect a better development, more appropriate for this site. I just think we need a little patience and we need to aim a little higher.

Kaye Christensen (5402 Parkdale Dr): I'm with Steven Scott Management and we are representing the developer and the management company of the new apartment community The Grain Belt Apartments. And I'd also like to say that hopefully I'm representing two hundred plus renters that will be occupying this luxury community that we're a part of. We are really excited about the liquor store, and one of the reasons why is that we look at it as an amenity to our property. And I know there was some talk about the look of the liquor store and I can tell you that the millennial generation that we're marketing to isn't going to go to a liquor store that does not look cool from the outside. I just wanted that we're excited about it and we feel that this will be a great service and amenity for the residence of our community.

President Tucker closed the public hearing.

Commissioner Brown moved staff recommendation to approve both item 2A the conditional use permit and item 2B the site plan review with the stated conditions. Add a seventh condition to item 2B, the applicant work with staff to enhance the north entrance of the building through building architecture and landscaping. That is the Broadway entrance. (Kronzer seconded).

Commissioner Kronzer: I would like to add an eighth condition. That the applicant shall provide and maintain a minimal 15 bicycle parking stalls on site or adjacent to. (Amendment added with no opposition).

Commissioner Brown: I'd just like to address a lot of the comments we heard. I certainly respect those comments. I don't disagree that this is a very prominent and visible location and I realize that a single story building at that location seems a little underwhelming and we'd like to see something a little bit more grand. However really what we have to work with is the Zoning Code and the business licensing regulations. And this location is zoned C2 and in the C2 zoning district, a single story building is allowed. There is no requirement that it's a mixed use building or anything like that. And also, the business licensing regulations allow for a liquor store at this location. And I know in the last year or two, some of those standards were relaxed a little bit so liquor stores could be located in more locations throughout the city. I also like to quickly address the issue of the signage, I know we haven't seen a sign plan, but I'm fairly confident that the sign regulations that we

have would prohibit paper signs covering all of the windows and so forth. So I'm comfortable with the motion, with the conditions that we've added.

Commission Bender: Thank you Mr. President, I was actually going to make a lot of the same points I'll just echo those and add, there are regulatory tools to encourage or require more density at sites, FAR (for area ratio) minimums but those are not in place now. So given the current zoning and the current regulations that we're operating under this meets all of those requirements. I think it's a conversation to keep having as a community; we have some of the same issues along Hennepin where we see a lot of one story commercial buildings being built. But again, that's part of a future long range planning discussion, I would say.

Commissioner Kronzer: Not to repeat anything that my fellow commissioners just said. It's important that we do need to respond to the specific application in front of us, not what could be or should be. Also this is a small site; it is a third of an acre and just thinking about how a mixed use project would be parked on this site. It's a very difficult site to redevelop. I can see in the future a developer coming to us with zero parking and I can just hear the conversation about a project with zero parking. I'm keeping my focus on what's in front of us here so I will be supportive. I just want to make a mention about the future greenway and bike lanes. I think that's very important and the City has shown great leadership in providing on street bike facilities and promoting that as a cultural element of the city. But just looking up and down the street, it's very infeasible to widen this right of way. If you look at the Grain Belt Brewery, the Grain Belt Office Building, Dusty's, the Kieran's new project, Boone Trucking, the Packing Corp and going south, the Northeast Yacht Club and Elsie's they're all built on the property line. That's tens of millions of dollars of right of way to widen the street. I think the greenway is a good goal, I think it can be achieved. Building this building where it's located proposed, it's not going to affect those proposals in these few block stretch. It's going to be similar to all the buildings around the street.

Aye: Bender, Brown, Gisselman and Kronzer

Absent: Forney, Gagnon, Luepke-Pier and Slack